REMARKS/ARGUMENTS

The Office Action dated October 14, 2010 has been carefully reviewed. Reconsideration of the objections and rejections contained therein is respectfully requested in view of the following remarks. Claim 119 is added. Claims 58-63, 65-74, 76-85, 87-96, 98-105, and 107-119 are pending in the application.

Claim Objections

Claims 85 was objected to because of informalities. Applicants have revised the status label to overcome this objection.

Claim Rejections – 35 USC § 103

Claims 58-59, 62-63, 66-68, 70, 73-74, 77-79, 81, 84-85, 88-90, 92, 95-96, 99-101,103-104, and 108-118 are rejected under 35 USC § 103 as being unpatentable over Sanmugam (US 5,533,094) in view of Miah et al. (EP 1217855 A1, "Miah"). Claims 60, 71, 82, 93, and 105 are rejected under 35 USC § 103 as being unpatentable over Sanmugam in view of Miah as applied to claims 59, 70, 81, and 92 above, and further in view of Palat et al. (US 6,765,890 B1, "Palat"). Claims 61, 72, 83, and 94 are rejected under 35 USC § 103 as being unpatentable over Sanmugam in view of Miah as applied to claims 59, 70, 81, and 92 above, and further supported by Wallentin et al.(US 6,834,191 B2, "Wallentin"). Claims 65, 76, 87, 98, and 107 are rejected under 35 USC § 103 as being unpatentable over Sanmugam in view of Miah as applied to claim 109, 110, 111, 112, and 115 above, and further in view of Laroia et al.(US 6,823,191 B2, "Laroia"). Claims 69, 80, 91, and 102 are rejected under 35 USC § 103 as being unpatentable over Sanmugam in view of Miah as applied to claim 109, 110, 111, and 112 above, and further in view of Weber et al (US 6,314,282 B1, "Weber"). Applicants respectfully traverse each of these rejections at least for the following reasons.

For example, regarding claim 70, Applicants recite in part that "determining <u>a level of quality of service </u>for a paging message by receiving and analyzing paging information <u>at a paging requirements determination module within an access node</u>; and allocating paging resources and generating the paging message from <u>a paging resource control module within the access node</u> in accordance with the level of quality of service determined by the paging

requirements determination module" (with emphasis added). Applicants respectfully submit that

Sanmugam in view of Miah, as applied fail to teach or suggest these features.

As noted in the prior responses, Applicants respectfully submit that each of the cited

references fails to disclose, teach, or suggest the features of claim 70. That is, each at least fail to

disclose determining a level of quality of service for a paging message by receiving and

analyzing paging information at a paging requirements determination module <u>within an access</u>

<u>node</u>. Instead, each of the cited references relates to a centralized paging system, wherein any

analysis of paging information is performed at a centralized node, rather than at the access node.

Specifically, the Examiner has appeared to reject these features based on the following:

> Sanmugam discloses an access node for use in a system for distributed packet-based paging (see col. 4, line 56 - col. 5, line 45; Figs. 1 & 9), comprising:
> a paging requirements determination module (e.g., BS 256); and a paging resource control module (e.g., BS 256) (see col. 13, lines 1-32; col. 7, lines 8-15; col. 8, line 1-9; col. 9, line 2; Figs. 9 & 8A-B), where page requests are based on paging information such as class of service, paging parameters, paging field, paging characteristics (*see, page 5 of the Office Action*)

However, in contrast to the Examiner's statements above, Sanmugam in Fig. 9 (provided below)

discloses no specific activity at BS 256, as can clearly be seen below.

FIG. 9
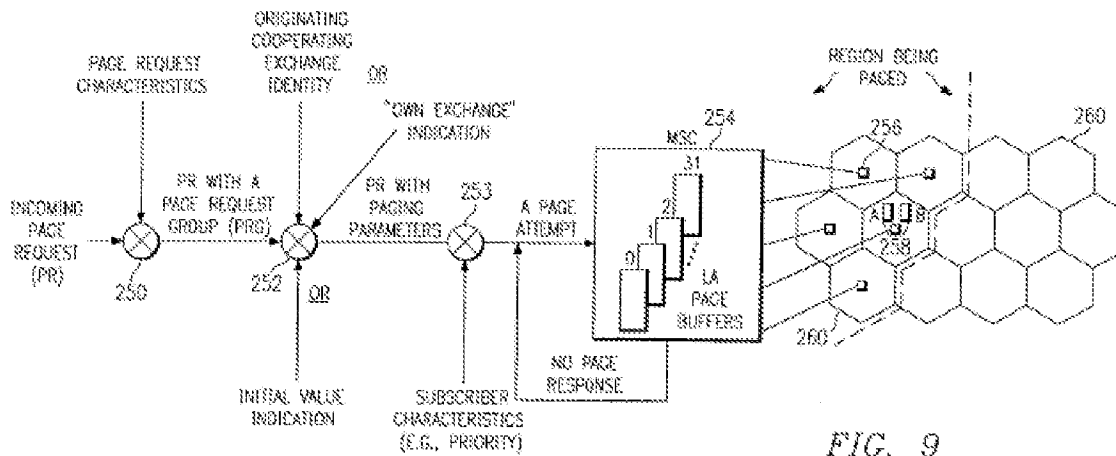
This is further emphasized in the cited portion (column 13, lines 1-32) relied upon by the

Examiner, where Sanmugam provides the following (with emphasis added).

> At node 250, the system accepts an incoming page request along with its particular characteristics and determines the designation of a page request group. The page request,

along with its associated page request group designation, proceeds to node 252 at which the system determines whether the identity of the cooperating exchange from which the page request originated is available. If not, the system will retrieve the paging parameters defined to serve the "Own Exchange." If the identity of the cooperating exchange is available, the system will either retrieve the paging parameters defined for that particular originating cooperating exchange or retrieve preselected default values supplied by the system if paging parameters have not been defined for that particular cooperating exchange. The page request and its associated paging parameters proceeds <u>to **node 253**</u> <u>where the paging parameters are combined with the subscriber characteristics, such as</u> **subscriber priority, and becomes a page attempt** which is transmitted to the **MSC 254** and placed in the paging buffers associated with the appropriate location areas. There is one buffer for each location area. The <u>MSC 254 then transmits the page attempt from</u> <u>each of the appropriate buffers to their associated location areas 260</u> within the region being paged. These page attempts are sent to each base station 256 within each location area 260. At each control channel, there are two buffers 258, stream A and stream B, which are utilized to place the page attempts into the control channel (FOCC) for broadcast according to the assigned page attempt priorities. The MSC 254 enters and remains in a state of waiting for a page response from the time a page order is sent to the base stations. If no page response is received within a designated time period the MSC 254 will reset itself and await new page attempts.

As is clearly indicated in the foregoing sections, Sanmugam <u>determines the paging requirements</u> (e.g., subscriber priority) at node 253 prior even to MSC 254. Accordingly, Applicants respectfully submit that "<u>determining a level of quality of service for a paging message</u> by receiving and analyzing paging information at a paging requirements determination module <u>within an access node</u>", as recited in claim 70.

Applicants respectfully submit that Miah as applied, even if properly combinable as alleged, (which Applicants do not admit), fails to cure the aforementioned deficiencies of Sanmugam. Likewise, the additional references, Palat, Wallentin, Laroia and Weber, as applied, do not cure the above-noted deficiencies of Sanmugam.

For at least the foregoing reasons it is respectfully submitted that claim 70 and independent claims 58-59, 81, 92, 103 and 104, which recite similar subject matter, are distinguishable over the applied art.

The remaining dependent claims are allowable at least by virtue of their dependency on the above-identified independent claims. See MPEP § 2143.01. Moreover, these claims recite additional subject matter, which is not suggested by the documents taken either alone or in combination. For example, claim 110 recites "exchanging paging information <u>between a</u> <u>plurality of access nodes</u>...determining the level of quality of service at least in part (i) from

analyzing at least one of a header field or a payload field, using a packet classification technique, from a received data message and (ii) from stored information uniquely associated with the access node in which the paging requirements determination module resides." The Examiner has indicated BS 256 is the "access node" in his rejection. Using this interpretation and referring to Fig. 9 of Sanmugam, clearly there is no exchanging paging information between a plurality of access nodes (i.e., BS 256). The only exchange of paging information is between the BSs 256 and MSC 254. There is no disclosure of any exchange of paging information between BSs 256 and still further, no teaching of the determining the level of quality form analyzing the received data message and/or from stored information uniquely associated with the access node, as further recited in claim 110. Similarly, new claim 119 provides for "delivering paging information directly from an originating access node to intended destination access nodes using one of Internet Protocol (IP) unicast or multicast addressing and delivery mechanisms." Clearly, the system of Sanmugam discussed above, does not support or contemplate delivering paging information directly from an originating access node to intended destination access nodes, as discussed in relation to claim 110.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections.

SUMMARY

Since the Examiner has maintained his rejection of the claims under 35 U.S.C. § 103, as noted above, Applicants once again traverse these rejections. Applicants expressly maintain the reasons from the prior responses to clearly indicate on the record that Applicants have not conceded any of the previous positions relative to the maintained rejections. For brevity, Applicants expressly incorporate the prior arguments presented in the July 30, 2010 response without a literal rendition of those arguments in this response. Accordingly, the arguments presented in the July 30, 2010 provide additional support for the allowance of the pending claims.

CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

Dated: 2011-02-14   By: /Raphael Freiwirth/

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